IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

TRUE THE VOTE, *et al.*   )
      Plaintiffs,   )
)
v.   )   Civil Action No.
)   3:14-cv-532 NFA
THE HONORABLE DELBERT HOSEMANN,   )
in his official capacity, as Secretary of State for the   )
State of Mississippi, *et al.*,   )
      Defendants.   )

DECLARATION

I hereby make the following declaration pursuant to 28 U.S.C. § 1746:

1.   My name is Edna Stevens I am over the age of eighteen and have personal knowledge of the matters set forth herein.

2.   I am currently the Circuit Clerk in Copiah County, Mississippi. The Circuit Clerk's duties include serving as the registrar for registering voters to be included on the county's voter roll, printing and providing documents related to elections for office conducted within the county, and serving as the custodian for certain documents at times before, during, and after elections.

3.   The Circuit Clerk's Office utilizes software for the State-wide Elections Management System ("SEMS") in connection with managing voter registrations. Voters register to be added to the county voter roll by submitting registration applications to the Circuit Clerk's Office. The applications are then processed, and the voter's information is uploaded into the SEMS system. The deadline to submit voter registration applications under Mississippi law is

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thirty days prior to an election. Voters registering later than thirty days prior to an election are not added to the voter roll and assigned active voter status on the voter roll.

4. The procedures for handling precinct poll books and absentee ballot materials explained below apply generally in every county election, and specifically applied in the Circuit Clerk's Office's duties performed in conjunction with the county's June 2014 elections in the Democratic and Republican primaries, and June 24, 2014 Republican run-off for nominee to the office of United States Senator.

5. In connection with elections, the Circuit Clerk's Office prints election-related documents such as non-scanable ballots from SEMS and precinct poll books. New poll books for each county voting precinct are generated reports from the computer system and printed in paper form approximately one week or less prior to an election cycle. In the case of primary elections, two poll books are printed, one for use in the Democratic Party primary and one for use in the Republican Party primary, and any run-offs that take place. Each primary poll book contains only the names of the active voters on the county voter roll.

6. Poll books are delivered to each voting precinct together with other election-related documents and materials used in connection with an election day. Before poll books are delivered to voting precincts for election day, officials in the Circuit Clerk's Office do not review poll books for any purpose, manually add or subtract voters from poll books, or utilize poll books for any activity related to adding or removing voters from the county voter roll. Poll books are printed approximately less than a week prior to an election, at a time when newly registered voters are not added to the county voter roll as active status voters. Also, poll books are printed at a time after County Election Commissioners have completed the process of removing voters in

any status category from the voter rolls. The process of removing voters from the county roll takes place, and is completed, approximately thirty days prior to an election.

7.   After an election, poll books are returned to the custody of the Circuit Clerk. The Circuit Clerk's Office maintains the poll books separately from sealed ballot box materials, such as absentee materials described below. Within a few weeks after an election, officials check-in the poll books by scanning the bar codes next to voters' names marked "voted." The process of checking in the poll books tracks whether the active status voters appearing in the poll book voted in the election. However, the process does not relate to registering any new voters or removing any existing active status voters from the county voter roll. The Circuit Clerk's Office does not review or otherwise utilize poll books in conjunction with registering or removing voters from the county's voter roll at any time before, during or after an election.

8.   Prior to an election, the Circuit Clerk's Office provides forms to absentee voters, including absentee ballot applications, envelopes, and absentee ballots. Absentee voting can be performed by voters in-person, or by mail for certain absentee voters. Absentee voter applicants submit an application separately with a completed ballot that is sealed in an absentee ballot envelope. The same procedures apply in connection with absentee applications, ballots and envelopes submitted by UOCAVA overseas voters.

9.   Upon receipt of absentee ballot materials from applicants prior to an election, the materials are secured at the Circuit Clerk's Office until distributed to the county's voting precincts for Election Day in each precinct's sealed ballot box. The absentee ballots are processed and counted as part of the election, and then the materials are returned and sealed in the precinct ballot boxes. Each precinct's sealed ballot box is returned to the Circuit Clerk's Office after the election where it remains sealed, except when in use by officials canvassing the

returns, or in the case of a candidate ballot box inspection authorized under Mississippi law, Miss. Code Ann. § 23-15-911. After a candidate ballot box inspection, the boxes remain sealed until an election contest is completed or the Clerk's Office is satisfied no such contest will take place.

10.   After the June 24, 2014 Republican run-off, representatives of the Chris McDaniel campaign and representatives of the Thad Cochran campaign requested and performed a statutory candidate review under Section 23-15-911. The representatives performed their inspection at the Copiah County Courthouse during the week of July 7, 2014.

11.   I understand Mr. McDaniel began the election contest process by filing a challenge with the Republican Party on or about August 4, 2014, and that he filed for judicial review on August 14, 2014. I received a letter from the McDaniel campaign dated August 7, 2014, requesting that my office preserve election materials, a copy of which is attached hereto as Ex A. The Circuit Clerk's Office is preserving, from the June 24th runoff election, the county's sealed ballot boxes, and their contents, on account of Mr. McDaniel's ongoing election contest.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 15th, 2014.

_____
EDNA STEVENS, COPIAH COUNTY
CIRCUIT CLERK

TYNER LAW FIRM, P.A.

Mitchell H. Tyner, Sr.
mtyner@tynerlawfirm.com

Licensed: Mississippi
Louisiana
Texas
District of Columbia

August 7, 2014

Edna E. Stevens
Copiah County Circuit Clerk
P. O. Box 467
Hazlehurst, MS 39083

      RE: United States Senate Race
                   2014 Republican Primary & Runoff Election Materials
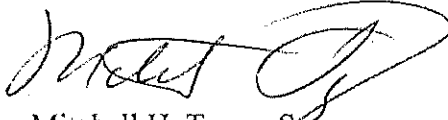   Election Challenge---Preservation of Election Materials

Dear Ms. Stevens:

After reviewing the election materials from the primary on June 3, 2014 and the runoff election held on June 24, 2014, United States Senate candidate, Chris McDaniel has made the decision to challenge the election results. The challenge was filed with the Mississippi Republican Party Executive Committee on August 4, 2014.

Due to the challenge, it will be necessary for you to maintain all the election materials, including all chain of custody information, safely secured.

Thank you for your assistance with keeping these records safely and securely until the challenge has been completely adjudicated.
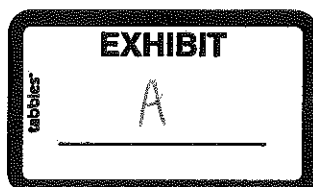
           Sincerely,

           TYNER LAW FIRM, P.A.

           Mitchell H. Tyner, Sr.

FILED

AUG 11 2014

EDNA E. STEVENS
CIRCUIT CLERK
BY_____D.C.

EXHIBIT

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Integrity in Law

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